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17 UNITED STATES DISTRICT COURT

18 FOR THE NORTHERN DISTRICT OF CALIFORNIA

19 GABINO AND MANUELA ORTIZ,
20 ARTURO AMAYA, and BARBARA
GEHRKE

Case No. 3:15-cv-02326-JSW

21 **JOINT CASE MANAGEMENT
STATEMENT**

22 Date: June 3, 2016
23 Time: 11:00 a.m.
24 Judge: Hon. Jeffrey S. White

Plaintiffs,

v.

25 SPARK ENERGY GAS, LLC; SPARK
26 ENERGY GAS, L.P.; and DOES 1 through
100, inclusive,

27
28 Defendants.

1 Pursuant to the Court's September 11, 2015 Order (D.E. 43), Rule 26(f) of the Federal
2 Rules of Civil Procedure and Civil Local Rule 16-9, Plaintiffs Gabino and Manuela Ortiz, Arturo
3 Amaya, and Barbara Gehrke ("Plaintiffs") and Defendants Spark Energy Gas, LLC and Spark
4 Energy Gas, L.P. ("Defendants") submit the following Joint Statement for purposes of the Further
5 Case Management Conference scheduled for June 3, 2016 at 11:00 a.m.

6 **1. Settlement**

7 The Parties have reached a full and final settlement of the Plaintiffs' individual claims.
8 They are close to finalizing and executing the settlement agreement and expect to do so over the
9 next several business days. Once the settlement agreement is finalized Plaintiffs will file a Joint
10 Stipulation of Dismissal With Prejudice, voluntarily dismissing this action under Fed. R Civ. P.
11 Rule 41 within two days of all parties executing the Settlement Agreement.

12 Plaintiffs will release their own claims with prejudice and, because no motion for class
13 certification has been filed and there is no certified class, the action will be dismissed without
14 prejudice as to the unnamed class members.

15 **2. Request to Vacate the June 3, 2016**

16 Accordingly, the Parties are concurrently filing a Joint Notification of Settlement and
17 Stipulation to vacate all dates. Plaintiffs respectfully request that the Court vacate the June 3, 2016
18 Status Conference and all other pretrial deadlines and hearing dates in this action.

19
20 Dated: May 27, 2016

By: /s/ Gillian L. Wade

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14 Dated: May 27, 2016

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26 *(motion for pro hac vice admission to
27 be filed)*

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